

UNITED STATES OF AMERICA EX REL.
STEPHEN MCMULLEN

vs.

Defendant.

TO BE FILED IN CAMERA AND
UNDER SEAL

Pursuant to 31 U.S.C. § 3730(b)(2)

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Medicare reimbursement criteria requires that for the “noninvasive vascular diagnostic studies” to be compensable, they must be performed by a physician or technician certified in vascular technology or by an accredited laboratory. Upon information and belief, Defendant has presented false claims to Medicare for “noninvasive vascular diagnostic studies” performed by non-accredited and/or non-certified technicians and Defendant has been compensated by Medicare for these non-compensable services in excess of \$50,000,000 per year since at least 2008 and possibly since 2002. The purpose of the Medicare requirement for services to be performed by technicians is because the noninvasive vascular diagnostic studies performed by employees not credentialed in vascular technology were improperly performed and improperly interpreted. Many healthcare providers were using unqualified employees to perform noninvasive vascular diagnostic studies to bill Medicare and enhance their revenue stream. Noninvasive vascular diagnostic studies performed by non-certified technicians had become a revenue stream for the healthcare providers and not a medically necessary or reasonable service.

3. 31 U.S.C. § 3730(b)(2) provides that “[t]he complaint shall be filed in camera, shall remain under seal for at least 60 days, and shall not be served on the defendant until the court so orders. The Government may elect to intervene and proceed with the action within 60 days after it receives both the complaint and the material evidence and information.” Plaintiff is filing this matter under seal.

4. A copy of the evidentiary disclosure required by the False Claims Act has already been served on the United States.

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction over this matter because the claim for relief arises under 31 U.S.C. § 3729, *et seq.* Venue is proper in this district pursuant to 31 U.S.C. § 3732 because Defendants transact business in this judicial district.

PARTIES

6. At all times relevant hereto, Relator Stephen McMullen ("Relator") was a citizen and resident of the State of Tennessee and was employed by Ascension Health in Nashville, Tennessee. Relator has witnessed the events as set forth herein. Relator is currently a resident of the State of Tennessee.

7. Ascension Health is a non-profit corporation with its principal place of business located at 4600 Edmundson Road, St. Louis, MO 63134. The registered agent of Ascension Health is Joseph R. Impicicche, 4600 Edmundson Road, St. Louis, MO 63134. Defendant Ascension Health operates at least four (4) hospitals in Tennessee – Baptist Hospital (Nashville), St. Thomas Hospital (Nashville), Hickman Community Hospital (Centerville), and Middle Tennessee Medical Center (Murfreesboro). Ascension Health is in the business of providing medical services for patients, including Medicare reimbursable services, in more than 500 locations in approximately 20 states, including Tennessee.

BACKGROUND FACTS

8. Pursuant to Title XVIII of the Social Security Act, §1833(e) states, "No payment shall be made to any provider of services or other person under this part unless there has been furnished such information as may be necessary in order to determine the amounts due such provider or other person under this part for the period with respect to which the amounts are being paid or for any prior period."

9. Medicare uses third parties to process claims for reimbursement. Prior to 2009, Fiscal Intermediaries (FIs) handled all institutional claims submitted by medical providers for Medicare payment. In 2009, CMS reorganized Medicare carriers into just fifteen (15) larger Medicare Administrative Contractors (MAC) which allowed the carrier policies to become more homogenized between Part A and Part B.

10. The primary authority for all Medicare coverage provisions and subsequent policies is the Social Security Act. A service may be covered by a contractor if it is *reasonable and necessary* under 1862(a)(1)(A) of the Social Security Act. Only reasonable and necessary provisions are considered part of the LCD. In order to be covered under Medicare, a service must be *reasonable and necessary*. When appropriate, contractors shall describe the circumstances under which the proposed LCD for the service is considered *reasonable and necessary*. Medicare Program Integrity Manual, Ch. 13.5.1 – Reasonable and Necessary Provisions in LCDs.

11. Medicare Administrative Contractors (MAC) use Medicare policies in the form of regulations, National Coverage Determinations (“NCD”), coverage provisions in interpretative manuals, and Local Coverage Determinations (“LCD”), to apply the provisions of the Social Security Act.

12. Section 522 of the Benefits Improvement and Protection Act created the term “**Local Coverage Determination**” (LCD). An LCD is a decision by a Medicare Administrative Contractor (MAC) whether to cover a particular service in accordance with §1862(a)(1)(A) of the Social Security Act. The difference between a Local Medical Review Policy (LMRP) and LCDs, is that LCDs consist of only “reasonable and necessary” information, while LMRPs may also contain benefit category and statutory exclusion provisions. Beginning in 2003, contractors

began issuing LCDs instead of LMRPs and were instructed to convert all existing LMRPs into LCDs. Medicare Program Integrity Manual, Ch. 13.1.3.

13. The LCDs specify under what clinical circumstances a service is considered to be *reasonable and necessary* and are administrative and educational tools to assist providers in submitting correct claims for payment. MACs publish LCDs to provide guidance to the public and medical community within their jurisdictions. MACs develop LCDs by considering medical literature, advice of local medical societies and medical consultants, public comments, and comments from the provider community. The contractor is required to adopt LCDs that have been developed individually or collaboratively with other contractors. The contractor shall ensure that all LCDs are consistent with all statutes, rulings, regulations, and national coverage, payment, and coding policies. Medicare Program Integrity Manual, Ch. 13.1.3 – Local Coverage Determinations.

14. Contractors shall ensure that the LCDs appearing on the contractor's LCD website and the LCDs appearing in the Medicare Coverage Database are identical. Medicare Program Integrity Manual, Ch. 13.4 – When to Develop New/Revised LCDs.

15. Contractors shall ensure that LCDs are developed for services only within their jurisdiction. The LCD shall be clear, concise, properly formatted and not restricted to conflict with NCDs or coverage provisions in interpretative manuals. Medicare Program Integrity Manual, Ch. 13.5 – Content of an LCD.

16. There are at least eight (8) MACs that service, or have serviced, the 20 states that Ascension Health operates within and those MACs are as follows:

- A. CIGNA Government Services – *Idaho*; LCD effective date 6/22/05. (See Exhibit A, attached);

- B. Wisconsin Physician Services Insurance Corp. – *Alabama, Arizona, Arkansas, Connecticut, District of Columbia, Florida, Georgia, Idaho, Indiana, Kansas, Louisiana, Michigan, Missouri, Tennessee, Washington & Wisconsin* –LCD effective date by at least 5/18/09; (See Exhibit A, attached);
- C. Cahaba Government Benefit Administrators, LLC – *Alabama, Georgia & Tennessee* –LCD effective date by at least 5/18/09; (See Exhibit A, attached);
- D. Trailblazer Health Enterprises, LLC – *Texas and Oklahoma*, LCD effective date 3/1/08 (See Exhibit A, attached);
- E. National Government Services, Inc. – *New York, Indiana, Michigan, Wisconsin and Connecticut* –LCD effective date 11/15/08, (See Exhibit A, attached);
- F. Highmark Medicare Services – *District of Columbia, Maryland and Pennsylvania* - LCD effective by at least 7/11/08 See Exhibit A, attached).
- G. Pinnacle Business Solutions, Inc. – *Arkansas and Louisiana* – LCD effective date 1/17/06, (See Exhibit A, attached)
- H. First Coast Service Options, Inc. – *Florida* – LCD effective date 2/16/09, (See Exhibit A, attached).

17. The local coverage determinations (“LCDs”) setting forth the criteria for Medicare reimbursement for noninvasive vascular diagnostic studies for all states in which Ascension Health operates a healthcare provider is attached as Ex. A. The LCDs for CIGNA Government Services, National Government Services, Inc. and Wisconsin Physician Services Insurance Corp that govern the reimbursement criteria for Defendant and other medical providers for the service of providing noninvasive vascular diagnostic studies (in Idaho, Arizona, Alabama, Georgia, Tennessee, Indiana, Wisconsin, Michigan, Connecticut, District of Columbia, Kansas, Arkansas, Florida, Louisiana, Missouri and Washington), all mandate the following:

All noninvasive vascular diagnostic studies *must* be performed under at least one of the following settings: (A) Performed by a Physician who is competent in diagnostic vascular studies or under the general supervision of physicians who

have demonstrated minimum entry level competency by being credentialed in vascular technology; (B) Performed by a technician who is certified in vascular technology; or (C) Performed in facilities with laboratories accredited in vascular technology.

Upon information and belief, similar LCDs governing the reimbursement criteria for the service of providing noninvasive vascular diagnostic studies may have been applicable since at least 2005.

18. The LCDs for Pinnacle Business Solutions, Inc. (See, Exhibit A) that govern the reimbursement criteria for Defendant and other medical providers for the service of providing noninvasive vascular diagnostic studies (in Arkansas and Louisiana), all mandate the following:

All noninvasive vascular diagnostic studies *must* be either (1) performed by, or under the general supervision of, persons that have demonstrated minimum entry level competency by being credentialed in vascular technology, or (2) performed in laboratories accredited in vascular technology.

Upon information and belief, similar LCDs governing the reimbursement criteria for the service of providing noninvasive vascular diagnostic studies may have been applicable since at least 2005.

19. The LCDs for Highmark Medicare Services (See, Exhibit A) that govern the reimbursement criteria for Defendant and other medical providers for the service of providing noninvasive vascular diagnostic studies (in District of Columbia Maryland & Pennsylvania), all mandate the following:

All noninvasive vascular diagnostic studies performed by a technologist *must* be performed by, or under the direct supervision of, a technologist who has demonstrated competency by being credentialed in vascular technology, or, such studies must be performed in a facility accredited by the Intersocietal Commission for the Accreditation of Vascular Laboratories (ICAVL) or the Non-Invasive Vascular Ultrasound Accreditation of the American College of Radiology (ACR).

Upon information and belief, similar LCDs governing the reimbursement criteria for the service of providing noninvasive vascular diagnostic studies may have been applicable since at least 2005.

20. The LCDs for First Coast Service Options, Inc. (See, Exhibit A) that govern the reimbursement criteria for Defendant and other medical providers for the service of providing noninvasive vascular diagnostic studies (in Florida), all mandate the following:

All non-invasive vascular diagnostic studies *must* be: (1) performed by a qualified physician, or (2) performed under the general supervision of a qualified physician by a technologist who has demonstrated minimum entry level competency by being credentialed in vascular technology, and/or (3) performed in a laboratory accredited in vascular technology

Upon information and belief, similar LCDs governing the reimbursement criteria for the service of providing noninvasive vascular diagnostic studies may have been applicable since at least 2005.

21. The LCDs for Trailblazer Health Enterprises, Inc. (See, Exhibit A) that govern the reimbursement criteria for Defendant and other medical providers for the service of providing noninvasive vascular diagnostic studies (in Oklahoma & Texas), all mandate the following:

Vascular diagnostic studies may be personally performed by a physician or technologist...the physician performing and/or interpreting the study must be capable of demonstrating documented training through recent residency training or post-graduate Continuing Medical Education (CME) and experience and maintain that documentation for postpayment review.

All non-invasive vascular diagnostic studies, when performed by a technologist, must be performed by a technologist who has demonstrated competency in ultrasound by receiving one of the following credentials in vascular ultrasound technology:

- Registered Vascular Specialist (RVS) provided by Cardiovascular Credentialing International (CCI).
- Registered Vascular Technologist (RVT) provided by the American Registry of Diagnostic Medical Sonographers (ARDMS).

- Vascular Sonographer (VS) provided by the American Registry of Radiologic Technologists, Sonography (AART)(S)

Alternatively, such studies must be performed in a facility or vascular laboratory accredited by one of the following nationally recognized accreditation organizations:

- American College of Radiology (ACR) Vascular Ultrasound Accreditation Program
- Intersocietal Commission for the Accreditation of Vascular Laboratories (ICAVL).

Upon information and belief, similar LCDs governing the reimbursement criteria for the service of providing noninvasive vascular diagnostic studies may have been applicable since at least 2005.

22. The LCDs for Cahaba Government Benefit Administrators (See, Exhibit A) that govern the reimbursement criteria for Defendant and other medical providers for the service of providing noninvasive vascular diagnostic studies (in Alabama, Georgia & Tennessee), all mandate the following:

Noninvasive vascular diagnostic studies must be either (1) performed by persons with appropriate training that have demonstrated minimum entry level competency by being credentialed by a nationally recognized credentialing organization in vascular technology (e.g. American Registry of Radiologic Technologist (ARRT) in vascular technology), (2) performed by or under the direct supervision of a physician, or (3) performed in facilities with laboratories accredited in vascular technology.

Upon information and belief, similar LCDs governing the reimbursement criteria for the service of providing noninvasive vascular diagnostic studies may have been applicable since at least 2005.

23. The LCD requirements are not new and have been mandated by the FIs and MACs that process the Medicare claims of Defendant for at least six (6) years dating back to at least 2005. The mandates have been published and distributed to Defendant and other medical

providers. Entities such as the Society for Vascular Ultrasound have published multiple articles about the mandates. (See Exhibits B & C, attached).

ASCENSION HEALTH

24. Ascension Health is a non-profit company that operates a network of hospitals and related healthcare facilities in the United States. It is the nation's largest non-profit healthcare system.

25. Ascension Health operates more than 500 facilities in 20 states and the District of Columbia. (See Exhibit D, attached).

26. Of the five hundred (500) facilities operated by Ascension Health, only eight (8) facilities have accredited laboratories according to the Intersocietal Commission for the Accreditation of Vascular Laboratories (www.ICAVL.org). (See Exhibit E, attached). The 8 Ascension facilities with accredited laboratories by ICAVL include:

- Carondelet St. Joseph's Hospital (Tucson, AZ)
- St. Vincent's Medical Center (Jacksonville, FL)
- Saint Agnes Hospital (Baltimore, MD)
- Borgess Medical Center (Kalamazoo, MI)
- Mercy Hospital of Buffalo (Buffalo, NY)
- Saint Thomas Hospital (Nashville, TN)
- Columbia St. Mary's Hospital Columbia (Milwaukee, WI)
- Columbia St. Mary's Hospital Milwaukee (Milwaukee, WI)

27. There are 13 Ascension facilities with recently accredited laboratories by the American College of Radiology ("ACR"). (See, Exhibit E, attached) These Ascension facilities recently accredited by ACR include:

- St. Vincent's Medical Center (Bridgeport, CT)
- Sacred Heart Hospital on the Emerald Coast (West Destin, FL)
- St. Joseph Regional Medical Center (Lewiston, ID)
- St. Mary's Medical Center (Evansville, IN)
- St. Vincent Indianapolis Hospital (Indianapolis, IN)
- Borgess Medical Center (Kalamazoo, MI)
- Providence Hospital (Southfield, MI)
- Providence Park Hospital (Novi, MI)
- St. John Macomb-Oakland Hospital (Warrant) (Warren, MI)
- St. John River District Hospital (East China, MI)
- Lourdes Hospital (Binghamton, NY)
- St. Mary's Hospital at Amsterdam (Amsterdam, NY)
- Providence Health Center (Waco, TX)

Upon information and belief, the ACR accreditations are recent and the majority of the noninvasive vascular diagnostic scans at these facilities would have been conducted before ACR accreditation.

28. For Fiscal year 2011, Ascension Health had excess revenues and gains over expenses and losses in the amount of \$1.5 billion according to the Ascension Health's website. Of the 500 facilities operated by Ascension Health, at *least* 99 are hospitals operated by Ascension Health and hundreds are medical facilities that would also conduct noninvasive vascular diagnostic studies.

ALABAMA

29. Ascension Health operates the following facilities in Alabama:

- Providence Healthcare Services/Seton Medical Management (physician network) (Mobile AL)
- Providence Hospital (Mobile AL)
- Providence Hospital Gastroenterology Services, LLC (Mobile AL)
- Providence Hospital Outpatient Surgery Services, LLC (Mobile AL)
- The Cancer Center at Providence (Mobile AL)
- Sacred Heart Home Care (AL)
- Sacred Heart Medical Group at Gulf Shores (Gulf Shores AL)
- St. Vincent's Birmingham (Birmingham AL)
- St. Vincent's Blount (Oneonta AL)
- St. Vincent's East (Huffman AL)
- St. Vincent's One Nineteen Health and Wellness (Hoover AL)
- St. Vincent's St. Clair (Pell City AL)

30. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these HCA facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

31. Upon information and belief, these facilities have presented false claims to Medicare for "noninvasive vascular diagnostic studies" performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for "noninvasive vascular diagnostic studies" submitted by these facilities did not qualify for Medicare reimbursement.

ARIZONA

32. Ascension Health operates the following facilities in Arizona:

- Carondelet Foothills Surgery Center (Tucson AZ)
- Carondelet Foundation (Tucson AZ)
- Carondelet Green Valley Imaging Center (Green Valley AZ)
- Carondelet Heart & Vascular Institute (Tucson AZ)
- Carondelet Holy Cross Hospital (Nogales AZ)
- Carondelet Hospice and Palliative Care (Administration) (Tucson AZ)
- Carondelet Hospice and Palliative Care (Inpatient) (Tucson AZ)
- Carondelet Imaging Center (Tucson AZ)
- Carondelet Medical Group (Administration) (Tucson AZ)
- Carondelet Medical Group (Bears Path) (Tucson AZ)
- Carondelet Medical Group (Carondelet Drive) (Tucson AZ)
- Carondelet Medical Group (Central) (Tucson AZ)
- Carondelet Medical Group (Foot & Ankle Clinic) (Tucson AZ)
- Carondelet Medical Group (Ft. Lowell) (Tucson AZ)
- Carondelet Medical Group (Green Valley) (Green Valley AZ)
- Carondelet Medical Group (Kiva) (Tucson AZ)
- Carondelet Medical Group (Midtown) (Tucson AZ)
- Carondelet Medical Group (Nogales) (Nogales AZ)
- Carondelet Medical Group (North Campbell Plaza) (Tucson AZ)
- Carondelet Medical Group (Northwest) (Tucson AZ)
- Carondelet Medical Group (Osteopathic Internists) (Tucson AZ)
- Carondelet Medical Group (Southeast) (Tucson AZ)
- Carondelet Medical Group (Southwest) (Tucson AZ)
- Carondelet Medical Group (West) (Tucson AZ)
- Carondelet Medical Group (Wetmore) (Tucson AZ)
- Carondelet Medical Mall at Green Valley (Green Valley AZ)
- Carondelet Medical Mall at Rita Ranch (Tucson AZ)
- Carondelet SportsPlus Physical Therapy Center (Tucson AZ)
- Carondelet St. Joseph's Hospital (Tucson AZ) [This is an Ascension accredited Laboratory by ICAVL]
- Carondelet St. Mary's Hospital (Tucson AZ)
- Carondelet St. Mary's Imaging Center (Tucson AZ)

33. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited

in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

34. Upon information and belief, these facilities have presented false claims to Medicare for "noninvasive vascular diagnostic studies" performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for "noninvasive vascular diagnostic studies" submitted by these facilities did not qualify for Medicare reimbursement.

ARKANSAS

35. Ascension Health operates the following facilities in Arkansas:

- DePaul Health Center (Dumas AR)
- St. Elizabeth Health Center (Gould AR)
- Wellness Center (Gould AR)

36. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

37. Upon information and belief, these facilities have presented false claims to Medicare for "noninvasive vascular diagnostic studies" performed by non-accredited and/or non-

certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for "noninvasive vascular diagnostic studies" submitted by these facilities did not qualify for Medicare reimbursement.

CONNECTICUT

38. Ascension Health operates the following facilities in Connecticut:

- St. Vincent's Immediate Health Center (Fairfield) (Fairfield CT)
- St. Vincent's Immediate Health Center (Monroe) (Monroe CT)
- St. Vincent's Immediate Health Center (Shelton) (Shelton CT)
- St. Vincent's Behavioral Health Services (Westport CT)
- St. Vincent's College (Bridgeport CT)
- St. Vincent's Immediate Health Center (Bridgeport) (Bridgeport CT)
- St. Vincent's Medical Center (Bridgeport CT) [This is an Ascension accredited Laboratory by ACR]
- St. Vincent's Medical Center Foundation (Bridgeport CT)
- St. Vincent's Special Needs Services (Trumbull CT)

39. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

40. Upon information and belief, these facilities have presented false claims to Medicare for "noninvasive vascular diagnostic studies" performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in

vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for “noninvasive vascular diagnostic studies” submitted by these facilities did not qualify for Medicare reimbursement.

DISTRICT OF COLUMBIA

41. Ascension Health operates the following facilities in District of Columbia:

- Ascension Health (DC) (Washington DC)
- Carroll Manor Nursing and Rehabilitation Center (Washington DC)
- Center for Life (Washington DC)
- Congress Heights Senior Wellness Center (Washington DC)
- Hattie Holmes Senior Wellness Center (Washington DC)
- Model Cities Senior Wellness Center (Washington DC)
- Perry Family Health Center (Washington DC)
- Police and Fire Clinic (Washington DC)
- Providence Hospital (Washington DC)
- Seton House Behavioral Health Services (Washington DC)

42. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

43. Upon information and belief, these facilities have presented false claims to Medicare for “noninvasive vascular diagnostic studies” performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology.

A significant number of the Medicare claims, which were paid by Medicare, for “noninvasive vascular diagnostic studies” submitted by these facilities did not qualify for Medicare reimbursement.

FLORIDA

44. Ascension Health operates the following facilities in Florida:

- Haven of Our Lady of Peace (Pensacola FL)
- Sacred Heart Children’s Hospital (Pensacola FL)
- Sacred Heart Home Care (Destin) (Destin FL)
- Sacred Heart Home Care (Pensacola) (Pensacola FL)
- Sacred Heart Hospital of Pensacola (Pensacola FL)
- Sacred Heart Hospital on the Emerald Coast (West Destin FL)
[This is an Ascension accredited Laboratory by ACR]
- Sacred Heart Medical Group at Airport Medical Park (Pensacola FL)
- Sacred Heart Medical Group at Crestview (Crestview FL)
- Sacred Heart Medical Group at Davis Highway (Pensacola FL)
- Sacred Heart Medical Group at Destin (Destin FL)
- Sacred Heart Medical Group at Foley (Foley FL)
- Sacred Heart Medical Group at Mack Bayou (Santa Rosa Beach FL)
- Sacred Heart Medical Group at Milestone (Cantomment FL)
- Sacred Heart Medical Group at Miramar Beach (Miramar FL)
- Sacred Heart Medical Group at Mobile Highway (Pensacola FL)
- Sacred Heart Medical Group at Old Spanish Trail (Pensacola FL)
- Sacred Heart Medical Group at Orange Beach (Orange Beach FL)
- Sacred Heart Medical Group at Pace (Pace FL)
- Sacred Heart Medical Group at Panama City Beach (Panama City Beach FL)
- Sacred Heart Medical Group at Pensacola Blvd. (Pensacola FL)
- Sacred Heart Medical Group at Tiger Point (Gulf Breeze FL)
- Sacred Heart Medical Group Urgent Care Center (Pensacola FL)
- Sacred Heart Medical Park (Gulf Shores) (Gulf Shores FL)
- Sacred Heart Medical Park (Pace) (Pace FL)
- Sacred Heart Medical Park (Pensacola) (Pensacola FL)
- Sacred Heart Rehabilitation Center at Davis Highway (Pensacola FL)
- Sacred Heart Rehabilitation Center at Destin (Destin FL)
- Sacred Heart Rehabilitation Center at Mobile Highway (Pensacola FL)
- Sacred Heart Rehabilitation Center at Pace (Pace FL)

- Sacred Heart Rehabilitation Center at Panama City Beach (Panama City Beach FL)
- Sacred Heart Rehabilitation Center at Perdido (Pensacola FL)
- Sacred Heart Rehabilitation Center at Port St. Joe (Port St. Joe FL)
- Sacred Heart Rehabilitation Center at The Club (Gulf Breeze FL)
- Sacred Heart Women's Hospital (Pensacola FL)
- Advanced Patient Transportation, Inc. (Jacksonville FL)
- Consolidated Laboratory Services (Jacksonville FL)
- Consolidated Pharmacy Services (Jacksonville FL)
- Orange Park Health Center (Orange Park FL)
- Seton Pharmacies (Orange Park FL)
- St. Catherine Labouré Manor (Jacksonville FL)
- St. Luke's Hospital (Jacksonville FL)
- St. Vincent's HealthCare Foundation (Jacksonville FL)
- St. Vincent's Medical Center (Jacksonville FL) [This is an Ascension accredited Laboratory by ICAVL]
- St. Vincent's Spine and Brain Institute (Jacksonville FL)

45. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

46. Upon information and belief, these facilities have presented false claims to Medicare for "noninvasive vascular diagnostic studies" performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for "noninvasive vascular diagnostic studies" submitted by these facilities did not qualify for Medicare reimbursement.

GEORGIA

47. Ascension Health operates the following facilities in Georgia:

- Waycross Cardiology (Waycross GA)

48. Upon information and belief, this facility has billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by his Ascension facility did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

49. Upon information and belief, this facility has presented false claims to Medicare for "noninvasive vascular diagnostic studies" performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. This facility does not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for "noninvasive vascular diagnostic studies" submitted by this facility did not qualify for Medicare reimbursement.

IDAHO

50. Ascension Health operates the following facilities in Idaho:

- St. Joseph Regional Medical Center (Lewiston ID) [This is an Ascension accredited Laboratory by ACR]

51. Upon information and belief, this facility has billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician

certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by this Ascension facility did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

52. Upon information and belief, this facility has presented false claims to Medicare for “noninvasive vascular diagnostic studies” performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. This facility does not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for “noninvasive vascular diagnostic studies” submitted by this facility did not qualify for Medicare reimbursement.

INDIANA

53. Ascension Health operates the following facilities in Indiana:

- Radiation Oncology Center of Southwest Indiana (Newburgh IN)
- St. Mary's at Home/Medical Equipment (Evansville IN)
- St. Mary's Breast Center (Evansville IN)
- St. Mary's Center for Advanced Medicine and Heart Institute (Evansville IN)
- St. Mary's Center for Children (Evansville IN)
- St. Mary's Convenient Care Center - East (Newburgh IN)
- St. Mary's Convenient Care Center - West (Evansville IN)
- St. Mary's for Women (Evansville IN)
- St. Mary's Hospital for Women and Children (Evansville IN)
- St. Mary's Medical Center (Evansville IN) [This is an Ascension accredited Laboratory by ACR]
- St. Mary's Occupational Medicine Clinic (Evansville IN)
- St. Mary's Rehabilitation Institute (Inpatient) (Evansville IN)
- St. Mary's Rehabilitation Institute (Outpatient) (Evansville IN)
- St. Mary's Rehabilitation Institute (Outpatient) (Evansville IN)
- St. Mary's Senior Health Center (Evansville IN)
- St. Mary's Surgicare (Evansville IN)
- St. Mary's Surgicare (Evansville IN)

- St. Mary's Warrick Hospital (Boonville IN)
- St. Mary's Weight Management Center (Evansville IN)
- Peyton Manning Children's Hospital at St. Vincent (Indianapolis IN)
- Saint John's Health System (Anderson IN)
- St. Vincent Physician Network (Brownsburg) (Brownsburg IN)
- St. Vincent Physician Network (Carmel 1) (Carmel IN)
- St. Vincent Physician Network (Carmel 3) (Carmel IN)
- St. Vincent Physician Network (Elwood 2) (Elwood IN)
- St. Vincent Physician Network (Elwood 3) (Elwood IN)
- St. Vincent Physician Network (Fishers 3) (Fishers IN)
- St. Vincent Physician Network (Fishers 4) (Fishers IN)
- St. Vincent Physician Network (Frankfort 2) (Frankfort IN)
- St. Vincent Physician Network (Frankfort 4) (Frankfort IN)
- St. Vincent Physician Network (Indianapolis 2) (Indianapolis IN)
- St. Vincent Physician Network (Indianapolis 3) (Indianapolis IN)
- St. Vincent Physician Network (Middletown) (Middletown IN)
- St. Vincent Physician Network (Noblesville 1) (Noblesville IN)
- St. Vincent Physician Network (Noblesville) (Noblesville IN)
- St. Vincent Physician Network (Pendleton 2) (Pendleton IN)
- St. Vincent Physician Network (Union City) (Union City IN)
- St. Vincent Physician Network (Winchester) (Winchester IN)
- St. Joseph Hospital (Kokomo IN)
- St. Vincent Carmel Hospital (Carmel IN)
- St. Vincent Clay Hospital (Brazil IN)
- St. Vincent Frankfort Hospital (Frankfort IN)
- St. Vincent Heart Center of Indiana (Indianapolis IN)
- St. Vincent Indianapolis Hospital (Indianapolis IN) [This is an Ascension accredited Laboratory by ACR]
- St. Vincent Jennings Hospital (North Vernon IN)
- St. Vincent Medical Center Northeast (Fishers IN)
- St. Vincent Mercy Hospital (Elwood IN)
- St. Vincent New Hope (Indianapolis IN)
- St. Vincent Physician Network (Administration) (Indianapolis IN)
- St. Vincent Physician Network (Alexandria 1) (Alexandria IN)
- St. Vincent Physician Network (Alexandria 2) (Alexandria IN)
- St. Vincent Physician Network (Anderson 1) (Anderson IN)
- St. Vincent Physician Network (Anderson 2) (Anderson IN)
- St. Vincent Physician Network (Anderson 3) (Anderson IN)
- St. Vincent Physician Network (Anderson 4) (Anderson IN)
- St. Vincent Physician Network (Brazil) (Brazil IN)
- St. Vincent Physician Network (Carmel 2) (Carmel IN)
- St. Vincent Physician Network (Carmel 4) (Carmel IN)
- St. Vincent Physician Network (Chesterfield) (Chesterfield IN)

- St. Vincent Physician Network (Elwood 1) (Elwood IN)
- St. Vincent Physician Network (Fishers 1) (Fishers IN)
- St. Vincent Physician Network (Fishers 2) (Fishers IN)
- St. Vincent Physician Network (Fishers Family Physicians) (Fishers IN)
- St. Vincent Physician Network (Frankfort 1) (Frankfort IN)
- St. Vincent Physician Network (Frankfort 3) (Frankfort IN)
- St. Vincent Physician Network (Frankfort 5) (Frankfort IN)
- St. Vincent Physician Network (Greencastle) (Greencastle IN)
- St. Vincent Physician Network (Indianapolis 1) (Indianapolis IN)
- St. Vincent Physician Network (Indianapolis 4) (Indianapolis IN)
- St. Vincent Physician Network (Kokomo) (Kokomo IN)
- St. Vincent Physician Network (North Vernon) (North Vernon IN)
- St. Vincent Physician Network (Pendleton 1) (Pendleton IN)
- St. Vincent Physician Network (Zionsville) (Zionsville IN)
- St. Vincent Randolph Hospital (Winchester IN)
- St. Vincent Salem Hospital (Salem IN)
- St. Vincent Seton Specialty Hospital (Indianapolis) (Indianapolis IN)
- St. Vincent Seton Specialty Hospital (Lafayette) (Lafayette IN)
- St. Vincent Stress Center (Indianapolis IN)
- St. Vincent Williamsport Hospital (Williamsport IN)
- St. Vincent Women's Hospital (Indianapolis IN)

54. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

55. Upon information and belief, these facilities have presented false claims to Medicare for "noninvasive vascular diagnostic studies" performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology.

A significant number of the Medicare claims, which were paid by Medicare, for “noninvasive vascular diagnostic studies” submitted by these facilities did not qualify for Medicare reimbursement.

KANSAS

56. Ascension Health operates the following facilities in Kansas:

- Affiliated Medical Services Laboratory (Wichita KS)
- Anatomic Imaging (Wichita KS)
- Center for Same Day Surgery (Wichita KS)
- Good Shepherd Behavioral Health (Wichita KS)
- Kansas Heart Hospital (Wichita KS)
- Kansas Surgery and Recovery Center (Wichita KS)
- Mercy Regional Health Center (Manhattan KS)
- Mount Carmel Regional Medical Center (Pittsburg KS)
- PMA Adult Gastroenterology (Wichita KS)
- PMA Andale (Andale KS)
- PMA Andover (Andover KS)
- PMA Diagnostics (Wichita KS)
- PMA Goddard (Goddard KS)
- PMA Hillsboro Family Practice (Wichita KS)
- PMA Immediate Care (Wichita KS)
- PMA Iola (Iola KS)
- PMA Northeast (Wichita KS)
- PMA Osborn Clinic (Colony KS)
- PMA Pediatric Gastroenterology (Wichita KS)
- PMA Pulmonology (Wichita KS)
- PMA Reflection Ridge (Wichita KS)
- PMA Rheumatology (Wichita KS)
- PMA Twin Lakes (Wichita KS)
- PMA West Maple (Wichita KS)
- PMA Wichita Ob-Gyn Associates (Wichita KS)
- Preferred Health Systems (Wichita KS)
- Preferred Medical Associates (PMA - Administration) (Wichita KS)
- Preferred PET – Mobile PET Scanning Services (Wichita KS)
- Salina Regional Health Center (Salina KS)
- Via Christi Home Care; Via Christi Home Health and Via Christi Home Medical Services (Manhattan KS)
- Via Christi Home Care; Via Christi Home Health and Via Christi Home Medical Services (Dodge City KS)

- Via Christi Home Care; Via Christi Home Health and Via Christi Home Medical Services (Wichita KS)
- Via Christi Home Care; Via Christi Home Health and Via Christi Home Medical Services (Garden City KS)
- Via Christi Home Care; Via Christi Home Health and Via Christi Home Medical Services (Salina KS)
- Via Christi Property Services (Wichita KS)
- Via Christi Rehabilitation Center Our Lady of Lourdes (Wichita KS)
- Via Christi Senior Services (Catholic Care Center) (Wichita KS)
- Via Christi Senior Services (Cornerstone Broadmoor) (Wichita KS)
- Via Christi Senior Services (Cornerstone Ridge Plaza) (Wichita KS)
- Via Christi Senior Services (Cornerstone Village) (Pittsburg KS)
- Via Christi Senior Services (Georgetown Village) (Wichita KS)
- Via Christi Senior Services (Riverside Village) (Wichita KS)
- Via Christi Senior Services (St. John's Health Care Center) (Hays KS)
- Via Christi Senior Services (St. John's, Victoria Campus (Victoria KS)
- Via Christi Senior Services (Via Christi Hope) (Wichita KS)
- Via Christi Senior Services (Villas at St. Joseph) (Manhattan KS)
- Via Christi St. Francis (Wichita KS)
- Via Christi – St. Joseph (Wichita KS)
- Wamego City Hospital (Wamego KS)
- Carondelet Care Resources (Overland Park KS)
- Carondelet Home Care Services (Overland Park) (Overland Park KS)
- Carondelet Physician Network (St. Joseph Family Care) (Overland Park KS)
- South Kansas City Surgicenter (Overland Park KS)
- Villa Saint Joseph (Overland Park KS)

57. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these

Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

58. Upon information and belief, these facilities have presented false claims to Medicare for “noninvasive vascular diagnostic studies” performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for “noninvasive vascular diagnostic studies” submitted by these facilities did not qualify for Medicare reimbursement.

LOUISIANA

59. Ascension Health operates the following facilities in Louisiana:

- Daughters of Charity Services of New Orleans (New Orleans LA)
- Neighborhood Health Partnership (New Orleans LA)
- Seton Resource Center for Child Development (New Orleans LA)

60. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

61. Upon information and belief, these facilities have presented false claims to Medicare for “noninvasive vascular diagnostic studies” performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in

vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for "noninvasive vascular diagnostic studies" submitted by these facilities did not qualify for Medicare reimbursement.

MARYLAND

62. Ascension Health operates the following facilities in Maryland:

- Fort Lincoln Family Health Center (Colmar Manor MD)
- Mission Health Partners (Baltimore MD)
- Saint Agnes Hospital (Baltimore MD) [This is an Ascension accredited Laboratory by ICAVL]
- Saint Agnes Laboratory Services (Baltimore MD)
- Seton Imaging Center (Baltimore MD)
- Seton Medical Group (Cantonsville MD)
- St. Catherine's Nursing Center (Emmitsburg, MD)

63. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

64. Upon information and belief, these facilities have presented false claims to Medicare for "noninvasive vascular diagnostic studies" performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for "noninvasive

vascular diagnostic studies" submitted by these facilities did not qualify for Medicare reimbursement.

MICHIGAN

65. Ascension Health operates the following facilities in Michigan:

- Borgess Ambulatory Care Corporation (Kalamazoo MI)
- Borgess at Woodbridge Hills (Portage MI)
- Borgess Foundation (Kalamazoo MI)
- Borgess Health and Fitness Center (Kalamazoo MI)
- Borgess Medical Center (Kalamazoo MI) [This is an Ascension accredited Laboratory by ICAVL & ACR]
- Borgess Nursing Home (Kalamazoo MI)
- Borgess Visiting Nurse and Hospice (Hartford) (Hartford MI)
- Borgess Visiting Nurse and Hospice (Kalamazoo) (Kalamazoo MI)
- Borgess VNA Home Care (Battle Creek) (Battle Creek MI)
- Borgess VNA Home Care (Portage) (Portage MI)
- Borgess-Lee Memorial Hospital (Dowagiac MI)
- Borgess-Pipp Hospital (Plainwell MI)
- CareLink of Jackson (Jackson MI)
- Plainwell Area EMS (Plainwell MI)
- ProMed Healthcare (Kalamazoo) (Kalamazoo MI)
- ProMed Healthcare (Portage) (Portage MI)
- ProMed Healthcare (Richland) (Richland MI)
- ProMed Healthcare (Three Rivers) (Three Rivers MI)
- Textile Systems, Inc. (Kalamazoo MI)
- VNA Home Health and Hospice (Kalamazoo MI)
- Lakeshore Surgical (Tawas City MI)
- Seton Cancer Institute (Tawas City MI)
- St. Joseph Family Practice (Au Gres St. Joseph Family Clinic) (Au Gres MI)
- St. Joseph Family Practice (Ausable Valley Health Center) (Fairview MI)
- St. Joseph Family Practice (Great Lakes Family Medicine) (Oscoda MI)
- St. Joseph Family Practice (Hale St. Joseph Medical Clinic) (Hale MI)
- St. Joseph Family Practice (Huron Family Medicine) (Tawas City MI)
- St. Joseph Family Practice (Oscoda Health Park) (Oscoda MI)
- St. Joseph Harbor Health Center (Tawas City MI)
- St. Joseph Harbor Health Center Bone & Joint Center (Tawas City MI)

- St. Joseph Harbor Health Center Rehabilitation Services (Tawas City MI)
- St. Joseph Home Health and Hospice (Tawas City MI)
- St. Joseph Home Medical Equipment (Oscoda) (Oscoda MI)
- St. Joseph Home Medical Equipment (Tawas City) (Tawas City MI)
- St. Joseph Hospice (Oscoda MI)
- St. Joseph Hospital (Tawas City MI)
- St. Joseph Huron Shores Walk-in Clinic (East Tawas MI)
- St. Joseph Joint Replacement Center (Tawas City MI)
- St. Joseph Medical Arts Internal Medicine (Tawas City MI)
- St. Joseph Occupational Health Services (Tawas City MI)
- St. Joseph Pediatrics (Tawas City MI)
- St. Joseph Rehabilitation Services (Ausable Valley Health Center) (Fairview MI)
- St. Joseph Rehabilitation Services (Hale) (Hale MI)
- St. Joseph Rehabilitation Services (Oscoda Health Park) (Oscoda MI)
- St. Joseph Specialty Clinic (Tawas City MI)
- St. Joseph Surgery and Cardiovascular Center (Tawas City MI)
- St. Joseph Women's Center (Tawas City) (Tawas City MI)
- St. Joseph Women's Center (West Branch) (West Branch MI)
- St. Mary's of Michigan Field Neurosciences Institute (Saginaw MI)
- St. Mary's of Michigan Primary Care Offices (Bay City) (Bay City MI)
- St. Mary's of Michigan Primary Care Offices (Birch Run) (Birch Run MI)
- St. Mary's of Michigan Primary Care Offices (Chesaning) (Chesaning MI)
- St. Mary's of Michigan Primary Care Offices (Frankenmuth Family Physicians) (Frankenmuth MI)
- St. Mary's of Michigan Primary Care Offices (Gratiot) (Gratiot MI)
- St. Mary's of Michigan Primary Care Offices (Heritage Family Physicians) (Saginaw MI)
- St. Mary's of Michigan Primary Care Offices (McLeod) (McLeod MI)
- St. Mary's of Michigan Primary Care Offices (Vassar) (Vassar MI)
- St. Mary's of Michigan Seton Cancer Institute (Bad Axe) (Bad Axe MI)
- St. Mary's of Michigan Seton Cancer Institute (Marlette) (Marlette MI)
- St. Mary's of Michigan Seton Cancer Institute (Saginaw) (Saginaw MI)
- St. Mary's of Michigan Seton Cancer Institute (Tawas) (Tawas MI)

- St. Mary's of Michigan Seton Cancer Institute (West Branch) (West Branch MI)
- St. Mary's of Michigan Standish Hospital (Standish MI)
- St. Mary's of Michigan Towne Centre (Saginaw MI)
- St. Mary's of Michigan Medical Center (Saginaw MI)
- St. Mary's of Michigan Medical Imaging (Bay City MI)
- St. Mary's of Michigan Riverfront (Saginaw MI)
- St. Mary's of Michigan Spine Center (Saginaw MI)
- Genesys Athletic Club (Grand Blanc MI)
- Genesys Center for Gerontology (Flint MI)
- Genesys Convalescent Center (Grand Blanc MI)
- Genesys Diabetes and Nutrition Learning Center (Grand Blanc MI)
- Genesys Home Care (Flint MI)
- Genesys Hospice Care Center (Flint MI)
- Genesys Hurley Cancer Institute (Flint MI)
- Genesys Regional Medical Center (Grand Blanc MI)
- Genesys – Belsay Medical Campus (Burton MI)
- Genesys – Clio Medical Campus (Clio MI)
- Genesys – East Flint Campus (Burton MI)
- Genesys – Fenton Medical Campus (Fenton MI)
- Genesys – Lapeer Medical Campus (Lapeer MI)
- Genesys – West Flint Campus (Flint MI)
- Hillside Center for Behavioral Services (Grand Blanc MI)
- Brighton Hospital (Brighton MI)
- Cancer Centers (Providence Cancer Institute, Assarian Cancer Center) (Novi MI)
- Cancer Centers (Providence Cancer Institute, Southfield Cancer Center) (Southfield MI)
- Cancer Centers (Van Elslander Cancer Center) (Grosse Pointe Woods MI)
- Cancer Centers (Van Elslander Cancer Center) (Macomb Township MI)
- Cancer Centers (Webbe Cancer Center) (Warren MI)
- Eastwood Community Clinics (Administration) (Warren MI)
- Father Murray Nursing Center (Center Line MI)
- Heart Centers (Detroit) (Detroit MI)
- Heart Centers (Providence Heart Institute) (Southfield MI)
- Heart Centers (Warren) (Warren MI)
- Providence Hospital (Southfield MI) [This is an Ascension accredited Laboratory by ACR]
- Providence Park Hospital (Novi MI) [This is an Ascension accredited Laboratory by ACR]
- St. John Conner Creek Village (Detroit MI)
- St. John Detroit Riverview Center (Detroit MI)

- St. John Home Care (Clinton Township) (Clinton Township MI)
- St. John Home Care (Farmington Hills) (Farmington Hills MI)
- St. John Hospital and Medical Center (Detroit MI)
- St. John Macomb-Oakland Hospital (Madison Heights) (Madison Heights MI)
- St. John Macomb-Oakland Hospital (Warren) (Warren MI) [This is an Ascension accredited Laboratory by ACR]
- St. John North Shores Hospital (Harrison Township MI)
- St. John River District Hospital (East China MI) [This is an Ascension accredited Laboratory by ACR]
- St. John Senior Community (Detroit MI)

66. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

67. Upon information and belief, these facilities have presented false claims to Medicare for “noninvasive vascular diagnostic studies” performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for “noninvasive vascular diagnostic studies” submitted by these facilities did not qualify for Medicare reimbursement.

MISSOURI

68. Ascension Health operates the following facilities in Missouri:

- Carondelet Heart Institute (Kansas City MO)
- Carondelet Home Care Services (Lee's Summit) (Lee's Summit MO)
- Carondelet Manor (Kansas City MO)
- Carondelet Physician Network (Blue Springs Internal Medicine) (Blue Springs MO)
- Carondelet Physician Network (Kansas City Orthopaedic Surgical Consultants) (Blue Springs MO)
- St. Joseph Medical Center (Kansas City MO)
- St. Mary's Manor (Blue Springs MO)
- St. Mary's Medical Center (Blue Springs MO)
- St. Mary's Surgical Center (Blue Springs MO)
- Ascension Health (Edmundson) (St. Louis MO)
- Ascension Health (Woodland) (St. Louis MO)

69. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

70. Upon information and belief, these facilities have presented false claims to Medicare for "noninvasive vascular diagnostic studies" performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for "noninvasive vascular diagnostic studies" submitted by these facilities did not qualify for Medicare reimbursement.

NEW YORK

71. Ascension Health operates the following facilities in New York:

- Diagnostic and Treatment Center (Clarence Diagnostic Center) (Williamsville NY)
- Diagnostic and Treatment Center (Mercy Ambulatory Care Center) (Orchard Park NY)
- Diagnostic and Treatment Center (Mercy Diagnostic and Treatment Center) (West Seneca NY)
- Diagnostic and Treatment Center (Mercy Diagnostic Center) (East Aurora NY)
- Diagnostic and Treatment Center (Sheridan Health Care Center) (Tonawanda NY)
- Diagnostic and Treatment Center (Williamsville Diagnostic Center) (Williamsville NY)
- Father Baker Manor (Orchard Park NY)
- Kenmore Mercy Hospital (Kenmore NY)
- McAuley Residence (Kenmore NY)
- McAuley-Seton Home Care (Cheektowaga NY)
- Mercy Hospital of Buffalo (Buffalo NY) [This is an Ascension accredited Laboratory by ICAVL]
- Mercy Nursing Facility@OLV (Lackawanna NY)
- Nazareth Home (Buffalo NY)
- Our Lady of Victory Senior Neighborhood (Lackawanna NY)
- Primary Care Center: Chestnut Ridge Family Practice (Orchard Park NY)
- Primary Care Center: Clarence Sheridan Medical Center (Williamsville NY)
- Primary Care Center: Holland Family Health Center (Holland NY)
- Primary Care Center: Kenmore Specialty Center (Kenmore NY)
- Primary Care Center: Lovejoy-St. Vincent Health Center (Buffalo NY)
- Primary Care Center: Mercy Health Center (Buffalo NY)
- Primary Care Center: Mercy Pediatric Center (Buffalo NY)
- Primary Care Center: OLV Family Care Center (Lackawanna NY)
- Primary Care Center: Powers Road Medical Practice (Orchard Park NY)
- Primary Care Center: Riverside Blackrock Family Care (Buffalo NY)
- Primary Care Center: Sisters Family Health Center (Buffalo NY)
- Primary Care Center: Springville Primary Care Center (Springville NY)
- Primary Care Center: Mercy Ob-Gyn Center (Buffalo NY)
- Sisters Long Term Home Health Care (Cheektowaga NY)

- Sisters of Charity Hospital (Buffalo NY)
- Sisters of Charity Hospital, St. Joseph Campus (Cheektowaga NY)
- St. Catherine Labouré Health Care Center (Buffalo NY)
- St. Elizabeth's Home of Lancaster (Lancaster NY)
- St. Francis of Buffalo (Buffalo NY)
- St. Francis of Williamsville (Williamsville NY)
- St. Vincent's of Dunkirk (Dunkirk NY)
- Center for Rehabilitation and Sports Medicine (Town of Niagara NY)
- Clearview Treatment Services (Lewiston NY)
- Mount St. Mary's Child Care Center (Lewiston NY)
- Mount St. Mary's Hospital and Health Center (Lewiston NY)
- Mount St. Mary's Neighborhood Health Center (Niagara Falls NY)
- Our Lady of Peace Nursing Care Residence (Lewiston NY)
- Lourdes at Home (Vestal NY)
- Lourdes Center for Oral Health (Binghamton NY)
- Lourdes Corporate Health Services (Endicott NY)
- Lourdes Corporate Health Services (Binghamton NY)
- Lourdes Corporate Health Services (Binghamton NY)
- Lourdes Corporate Health Services (Johnson City NY)
- Lourdes Corporate Health Services (Binghamton NY)
- Lourdes Health Support, LLC (Binghamton NY)
- Lourdes Hospice (Vestal NY)
- Lourdes Hospital (Binghamton NY) [This is an Ascension accredited Laboratory by ACR]
- Lourdes Hyperbaric Oxygen Therapy Program (Binghamton NY)
- Lourdes Primary Care Network (18 Locations) (NY)
- Lourdes Primary Care Network (Associates in Family Medicine) (Vestal NY)
- Lourdes Primary Care Network (Center for Family Health) (Binghamton NY)
- Lourdes Primary Care Network (dePaul Pediatrics) (Binghamton NY)
- Lourdes Primary Care Network (Endocrinology) (Binghamton NY)
- Lourdes Primary Care Network (Family Practice) (Binghamton NY)
- Lourdes Primary Care Network (Family Practice) (Owego NY)
- Lourdes Primary Care Network (Family Practice) (Hancock NY)
- Lourdes Primary Care Network (Family Practice) (Johnson City NY)
- Lourdes Primary Care Network (Family Practice) (Whitney Point NY)

- Lourdes Primary Care Network (N. Tioga Center for Family Health) (Richford NY)
- Lourdes Primary Care Network (Pediatric Endocrinology) (Binghamton NY)
- Lourdes Primary Care Network (Pediatrics) (Binghamton NY)
- Lourdes Primary Care Network (Primary Care Associates) (Endicott NY)
- Lourdes Primary Care Network (Primary Care Associates) (Binghamton NY)
- Lourdes Primary Care Network (Primary Care Associates) (Binghamton NY)
- Lourdes Primary Care Network (Riverside Medical) (Binghamton NY)
- Lourdes Primary Care Network (Vestal Medical Associates) (Vestal NY)
- Lourdes Rehabilitation Services (Binghamton 1) (Binghamton NY)
- Lourdes Rehabilitation Services (Binghamton 2) (Binghamton NY)
- Lourdes Rehabilitation Services (Endwell) (Endwell NY)
- Lourdes Rehabilitation Services (Vestal) (Vestal NY)
- Lourdes Sleep Lab (Vestal NY)
- Lourdes Vestal Medical Services (Vestal NY)
- Lourdes Youth Services (Binghamton NY)
- Behavioral Health Services (Eight locations in Amsterdam, Gloversville, and Nelliston NY)
- Canajoharie Family Health Center (Canajoharie NY)
- Cancer Medicine Center (Amsterdam NY)
- Carondelet Family Health Center (Amsterdam NY)
- Gloversville Family Health Center (Gloversville NY)
- Johnstown Family Health Center (Johnstown NY)
- Laboratory Patient Service Center (Holland Circle Drive) (Amsterdam NY)
- Laboratory Patient Service Center (Riverfront Center) (Amsterdam NY)
- Memorial Campus Family Health (Amsterdam NY)
- Northville Family Health Center (Northville NY)
- Physical Rehab Services (Amsterdam NY)
- St. Johnsville Family Center (St. Johnsville NY)
- St. Mary's Hospital at Amsterdam (Amsterdam NY) [This is an Ascension accredited Laboratory by ACR]
- St. Mary's Route 30 Lab & Radiology Services (Amsterdam NY)

72. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general

supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

73. Upon information and belief, these facilities have presented false claims to Medicare for “noninvasive vascular diagnostic studies” performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for “noninvasive vascular diagnostic studies” submitted by these facilities did not qualify for Medicare reimbursement.

OKLAHOMA

74. Ascension Health operates the following facilities in Oklahoma:

- Via Christi Senior Services (Ponca City OK)

75. Upon information and belief, this facility has billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by this Ascension facility did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

76. Upon information and belief, this facility has presented false claims to Medicare for "noninvasive vascular diagnostic studies" performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. This facility does not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for "noninvasive vascular diagnostic studies" submitted by this facility did not qualify for Medicare reimbursement.

PENNSYLVANIA

77. Ascension Health operates the following facilities in Pennsylvania:

- Seton Manor (Orwigsburg, PA)

78. Upon information and belief, this facility has billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by this Ascension facility did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

79. Upon information and belief, this facility has presented false claims to Medicare for "noninvasive vascular diagnostic studies" performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. This facility does not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for "noninvasive

vascular diagnostic studies” submitted by this facility did not qualify for Medicare reimbursement.

TENNESSEE

80. Ascension Health operates the following facilities in Tennessee:

- Baptist Hospital (Nashville TN)
- Hickman Community Hospital (Centerville TN)
- Middle Tennessee Medical Center (Murfreesboro TN)
- Saint Thomas Hospital (Nashville TN) [This is an Ascension accredited Laboratory by ICAVL]

81. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

82. Upon information and belief, these facilities have presented false claims to Medicare for “noninvasive vascular diagnostic studies” performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for “noninvasive vascular diagnostic studies” submitted by these facilities did not qualify for Medicare reimbursement.

TEXAS

83. Ascension Health operates the following facilities in Texas:

- Alameda Clinic (El Paso TX)
- San Elizario Clinic (El Paso TX)
- San Vicente Healthcare for the Homeless Program (El Paso TX)
- De Paul Family Center (San Antonio TX)
- DePaul-Wesley Children's Center (San Antonio TX)
- El Carmen Wellness Center (San Antonio TX)
- La Misión Family Health Center (San Antonio TX)
- Clinical Education Center at Brackenridge (Austin TX)
- Dell Children's Medical Center of Central Texas (Austin TX)
- Seton Bertram Healthcare Center (Bertram TX)
- Seton Burnet Healthcare Center (Burnet TX)
- Seton Cove (Austin TX)
- Seton Diabetes Education Center (Austin TX)
- Seton Edgar B. Davis Hospital (Luling TX)
- Seton Highland Lakes Hospital (Burnet TX)
- Seton Kozmetsky Community Health Center (Austin TX)
- Seton Lampasas Healthcare Center (Lampasas TX)
- Seton League House (Austin TX)
- Seton Lockhart Family Health Center (Lockhart TX)
- Seton Marble Falls Healthcare Center (Marble Falls TX)
- Seton McCarthy Community Health Center (Austin TX)
- Seton Medical Center Austin (Austin TX)
- Seton Medical Center Austin Outpatient Rehabilitation (Austin TX)
- Seton Medical Center Hays (Hays TX)
- Seton Medical Center Williamson (Round Rock TX)
- Seton Northwest Hospital (Austin TX)
- Seton Outpatient Pulmonary Rehabilitation Center (Austin TX)
- Seton Outpatient Rehabilitation Services at Cedar Park (Cedar Park TX)
- Seton Pflugerville Healthcare Center (Pflugerville TX)
- Seton Shoal Creek Hospital (Austin TX)
- Seton Southwest Hospital (Austin TX)
- Seton Topfer Community Health Center (Austin TX)
- University Medical Center Brackenridge (Austin TX)
- DePaul Center (Waco TX)
- Providence Durable Medical Equipment (Waco TX)
- Providence Foundation (Waco TX)
- Providence Health Alliance (Waco TX)

- Providence Health Center (Waco TX) [This is an Ascension accredited Laboratory by ACR]
- Providence Home Care (Waco TX)
- St. Catherine Center (Waco TX)
- St. Elizabeth Place (Waco TX)
- The Village at Providence Park (Waco TX)

84. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

85. Upon information and belief, these facilities have presented false claims to Medicare for “noninvasive vascular diagnostic studies” performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for “noninvasive vascular diagnostic studies” submitted by these facilities did not qualify for Medicare reimbursement.

WASHINGTON

86. Ascension Health operates the following facilities in Washington:

- Lourdes 14th Avenue Radiology Clinic (Pasco WA)
- Lourdes Columbia Point (Richland WA)
- Lourdes Counseling Center (Richland WA)
- Lourdes Family Health Center (Connell WA)
- Lourdes Kania Clinic (Pasco WA)
- Lourdes Medical Center (Pasco WA)
- Lourdes Occupational Health Center (Pasco WA)

- Lourdes Physical Medicine Center (Pasco WA)
- Lourdes Pulmonary Services (Pasco WA)
- Lourdes Riverview Medical Group (Pasco WA)
- Lourdes Sleep Lab (Pasco WA)
- Lourdes West Pasco (Pasco WA)
- Lourdes West Pasco (Diagnostic Imaging) (Pasco WA)
- Lourdes West Pasco (Family Medicine) (Pasco WA)
- Lourdes West Pasco (Women's Health) (Pasco WA)
- Lourdes Wilson House (Pasco WA)
- Lourdes Women's Center at the Hospital (Pasco WA)

87. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

88. Upon information and belief, these facilities have presented false claims to Medicare for "noninvasive vascular diagnostic studies" performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for "noninvasive vascular diagnostic studies" submitted by these facilities did not qualify for Medicare reimbursement.

WISCONSIN

89. Ascension Health operates the following facilities in Wisconsin:

- Cathedral Square Urgent Care Center (Milwaukee WI)
- Columbia College of Nursing (Milwaukee WI)

- Columbia St. Mary's Hospital Columbia (Milwaukee WI) [This is an Ascension accredited Laboratory by ICAVL]
- Columbia St. Mary's Hospital Milwaukee (Milwaukee WI) [This is an Ascension accredited Laboratory by ICAVL]
- Columbia St. Mary's Hospital Ozaukee (Mequon WI)
- Lakeside Commons (Mequon WI)
- Orthopaedic Hospital of Wisconsin (Glendale WI)
- River Woods Outpatient Center (Glendale WI)
- Sacred Heart Rehabilitation Institute (Milwaukee WI)

90. Upon information and belief, these facilities have billed Medicare for noninvasive vascular diagnostic studies which were (1) not performed by a physician or under the general supervision of a physician credentialed in vascular technology; (2) not performed by a technician certified in vascular technology; and (3) not performed in facilities with laboratories accredited in vascular technology. The noninvasive vascular diagnostic studies billed to Medicare by these Ascension facilities did not qualify for reimbursement under the Local Coverage Determination established by the Medicare Administrator Contractor.

91. Upon information and belief, these facilities have presented false claims to Medicare for "noninvasive vascular diagnostic studies" performed by non-accredited and/or non-certified technicians, who were not under the general supervision of physicians certified in vascular technology. These facilities do not have laboratories accredited in vascular technology. A significant number of the Medicare claims, which were paid by Medicare, for "noninvasive vascular diagnostic studies" submitted by these facilities did not qualify for Medicare reimbursement.

TOTALITY OF CLAIMS

92. Upon information and belief, for the 99 hospitals operated by Ascension Health, if operated similar to Baptist Health, as outlined below, Ascension Health would have received over \$35 million in Medicare reimbursements per year for noninvasive vascular diagnostic studies

performed by non-accredited and/or non-certified technicians in violation of the Medicare reimbursement criteria. Upon information and belief, Ascension Health has also received Medicare reimbursements for noninvasive vascular diagnostic studies performed by non-accredited and/or non-certified technicians at many of the other 400 healthcare facilities operated by Ascension Health. Relator estimates that Ascension Health receives more than \$50,000,000 per year in Medicare reimbursements for noninvasive vascular diagnostic studies performed by non-accredited and/or non-certified technicians at all of its healthcare facilities combined, operated in over 20 states.

Facts Pertaining To Relator Stephen McMullen

93. Relator, Stephen McMullen, is an original source who has direct and independent knowledge of the information on which the allegations in this Complaint are based and has voluntarily provided the information to the government before filing an action based on the information contained herein.

94. Relator, Stephen McMullen, works for Baptist Hospital, Nashville, Tennessee, an Ascension Health owned and operated hospital, from approximately September 2011 through the present date. Relator is a Registered Vascular Technologist (RVT) credentialed and accredited by the American Registry of Diagnostic Medical Sonographers.

95. Relator states that while he was properly credentialed as a vascular technologist, many of the technologists at Baptist Hospital performing noninvasive vascular studies were not certified as vascular technologists (5 certified and 8 not certified). Additionally, Relator states that none of the noninvasive vascular diagnostic studies performed during his employment at Baptist Hospital were performed by a physician or under the direct or general supervision of a physician credentialed in vascular technology.

96. Relator also asserts that Ascension Health has very few facilities with laboratories accredited in vascular technology. Relator was advised that Baptist Hospital (owned by Ascension Health) maintained an accredited laboratory until 2001, when it was decided that it was not cost effective to meet the accreditation requirements.

97. Baptist Hospital in Nashville, Tennessee is not an accredited laboratory and is performing non-invasive vascular diagnostic studies with persons that are not physicians or technicians certified in vascular technology and are not under the general supervision of physicians certified in vascular technology.

98. Approximately 42% of the noninvasive vascular diagnostic studies at Baptist Hospital were not performed by or under the supervision of a qualified physician, a credentialed vascular technologist, or at a laboratory accredited in vascular technology. Therefore, a significant number of Medicare claims for noninvasive vascular diagnostic studies submitted by Baptist Hospital to Cigna Government Services and/or Wisconsin Physicians Service Insurance Company, did not qualify for Medicare reimbursement.

99. Specifically, Relator has personal knowledge that Baptist Health is performing approximately 210 noninvasive vascular diagnostic studies per month by noncertified technicians, at an average Medicare reimbursement of \$140 per scan. The estimated yearly reimbursement from Medicare to Baptist Hospital for these non-compensable noninvasive vascular scans is \$350,000.

100. Additionally, for each improper noninvasive vascular diagnostic study, Medicare is charged an estimated \$25-\$40 to interpret the improper study for a total of \$60,000-\$100,000 per year.

101. Upon information and belief, Medicare reimbursed Baptist Hospital over \$350,000 per year for non-compensable medical services related to noninvasive vascular diagnostic studies performed by non-accredited and/or non-certified technicians. Upon information and belief, these improper Medicare reimbursements have occurred at Baptist Hospital in Nashville, Tennessee since at least 2005 for an approximate total of \$2,400,000, just for Baptist Hospital, one of the 500 healthcare facilities operated by Ascension Health.

102. As stated by CIGNA in its Article for Noninvasive Vascular Studies, the accuracy of noninvasive vascular diagnostic studies depends on the knowledge, skill and experience of the technologist, and consequently, the technologist and physician must be able to show documentation of training and experience as well as maintain the credentials at each site. The lack of these credentials was obvious, in that, Relator noticed that a significant number of noninvasive vascular diagnostic studies performed at Baptist Health were improperly performed and improperly interpreted by persons not credentialed in vascular technology.

103. With the exception of the noninvasive vascular diagnostic studies performed by Relator and 4 other certified persons, Relator is not aware of any noninvasive vascular diagnostic studies that were performed under the supervision of persons with the proper credentials or performed by individuals properly credentialed.

104. Relator has personal knowledge that the following people are performing noninvasive vascular diagnostic studies at Baptist Health, but are not Registered Vascular Sonographers: Krystal Belcher, Brittani Powell, Melanie Alsup, Sarah Gooch, Veena Mahadevappa, Alice Pacurar, and Kristi Skelton.

105. Relator also has personal knowledge that the Government Accounting Office (GAO) has promulgated literature regarding the pervasive and systemic use of noninvasive

vascular studies that are not medically reasonable or necessary. Particularly, the purpose of the requirement for certifications is because hospitals, clinics, and physicians were and are utilizing improperly experienced and educated individuals to perform noninvasive vascular studies purely to bill Medicare. Noninvasive vascular studies have become a revenue stream versus a medically necessary or reasonable study. As such, the Centers for Medicare and Medicaid Services (CMS) promulgated requirements regarding credentials in an effort to stem unreasonable and unnecessary studies.

106. While working for other employers, Relator has personally performed noninvasive vascular diagnostic studies in other states, such as Louisiana, and the Medicare claims were accompanied by the proper credentials of the technologist or the laboratory in order to obtain Medicare reimbursement.

CLAIM FOR RELIEF

VIOLATION OF 31 §U.S.C. 3729(a)(1), (a)(2), and (a)(3)

107. Relator incorporates the preceding paragraphs as if fully set forth herein.

108. Defendant, acting through its affiliates, partners, subsidiaries, employees, officers, agents, and independent contractors knowingly presented or caused to be presented false or fraudulent claims for payment from Medicare. Defendant knowingly presented or caused to be presented to the United States Government claims for payment of non-reimbursable Medicare claims for noninvasive vascular diagnostic studies and for interpreting said studies.

109. Despite CIGNA's Article for Noninvasive Vascular Studies and the corresponding NCDs and LCDs, Defendant has acted with actual knowledge, deliberate ignorance of the truth, or reckless disregard for the truth or falsity in presenting inaccurate, false, and unsubstantiated claims for Medicare reimbursement.

110. The claims presented by the Defendant were false or fraudulent in that the Defendant knowingly made or caused false or fraudulent claims to be paid by the United States Government.

111. The Defendant submitted or caused to be submitted and presented or caused to be presented the false and/or fraudulent claims or false records for payment or approval.

112. The false and fraudulent claims of Ascension Health were paid by the United States Government.

113. As a direct and proximate result of paying for unreasonable or unnecessary studies and interpretations which were, in fact, false or fraudulent, the United States Government sustained damages.

WHEREFORE, Relator demands: (1) judgment against the Defendant in an amount of three times the false claims submitted for payment to the United States Government, (2) for a civil penalty against the Defendant in an amount between \$5,500.00 and \$11,000.00 for each violation of 31 U.S.C. §3729, *et seq.*, (3) for the maximum amount allowed to the *Qui Tam* Plaintiff under 31 U.S.C. §3730(d) of the False Claims Act or any other applicable provision of law, including any alternate remedy provisions, (4) for its court costs and reasonable attorneys fees at prevailing rates, (5) for expenses, and (6) for such other and further relief as this Court deems just and proper.

JURY DEMAND

Relator demands a jury trial on all issues for which a jury is available.

Dated: May 18, 2012.

/s/ Russell A. Wood

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